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Legal Staff
International DivisionOTIS ELEVATOR COMPANY
OTIS INTELLECTUAL PROPERTY DEPARTMENT
FARMINGTON, CONNECTICUT

OUR FAX NUMBER IS: (860) 998-3886

IF ALL PAGES ARE NOT RECEIVED, CALL THE FOLLOWING NUMBER IMMEDIATELY:
TELEPHONE: (860) 676-5763

ADDRESSEE: USPTO

FAX: 571-273-8300

SENDER: Marybeth Roy

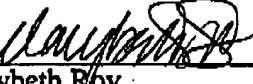
TOTAL NUMBER OF PAGES INCLUDING LEAD SHEET: 6

DATE: August 29, 2005

RE: US Patent Application 10/521,539
CONICAL SPRING BUFFER FOR AN ELEVATOR (S. Shibasaki)
Our File: OT-5055

I hereby certify that the following document (attached) is being facsimile transmitted to the U.S. Patent and Trademark Office at (571) 273-8300 on August 29, 2005, for filing in the above-referenced application:

- Response to Missing Requirements under 35 U.S.C. 371 (2 pages);
- Copy of Declaration (1 page); and
- Copy of Notification of Missing Requirements under 35 U.S.C. 371 (2 pages).



Marybeth Roy

-NOTICE-

The information contained in this facsimile is confidential information of The Otis Elevator Company and/or its legal counsel and is intended only for the use of the named addressee. If you are not the named addressee or his or her employee/agent, please be advised that disclosure, copying, distribution and/or use of this facsimile or its contents is prohibited. If you are not the named addressee, please immediately telephone the above identified sender collect at the telephone number specified above and Otis will arrange to retrieve the documents at no expense to you. Thank you for your cooperation.

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AUG 29 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of		Date:	Aug. 29, 2005
Shusaku Shibasaki	:	Examiner:	Unknown
U.S. Appln. No.:	10/521,539	Art Unit:	Unknown
Int'l Appln. No.:	PCT/US03/19856	Docket No.:	OT-5055
Int'l Filing Date:	June 23, 2003		
Title:	CONICAL SPRING BUFFER FOR AN ELEVATOR		

RESPONSE TO MISSING REQUIREMENTS UNDER 35 U.S.C. 371

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sirs:

In response to the Notification of Missing Requirements, which was mailed August 9, 2005, Applicant submits that the Declaration submitted with the U.S. national stage application is proper.

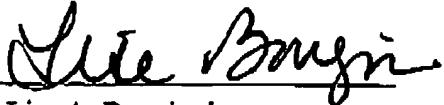
When Applicant entered the U.S. national stage, Applicant placed a copy of the Declaration that had been filed with the original international application with the U.S. national stage application papers in order to assist the patent office. Applicant submitted the Declaration with the original filing of the international application pursuant to PCT Rule 4.17(iv). Under 37 CFR 1.497, the rule provides that only if a declaration was not submitted under PCT Rule 4.17(iv) (at the international stage), the patent office may then require the Applicant to submit a declaration. Thus, because Applicant submitted the Declaration with the international application, the patent office shall not require any additional declarations. In

addition, because the Declaration was submitted with the original international filing, Applicant did not know the international application number when the Declaration was submitted. Thus, the Declaration was proper when it was submitted with the filing of the international application. Accordingly, Applicant hereby submits that the Declaration as submitted with the U.S. national stage is proper and respectfully requests that the patent office withdraw the objection to the Declaration.

In addition, the patent office also stated that an Indication of Small Entity Status had been submitted with the filing of the U.S. national stage. Applicant submits that there was no paperwork submitted with the filing of the U.S. national stage that indicated that Applicant was a small entity. Applicant is not a small entity. Applicant is a large entity. Accordingly, Applicant respectfully requests that the patent office adjust its records in that regard.

In order to assist the patent office Applicant submits herewith another copy of the Declaration, which was filed with the original international application. Applicant respectfully requests that the patent office accept this Declaration.

Respectfully submitted,

By: 
Lisa A. Bongiovanni
Registration No. 48,933

Date: August 29, 2005

Otis Elevator Company
10 Farm Springs Road
Farmington, CT 06032
Tel: (860) 676-5743

Sheet No. 1

COPY

Box No. VIII (iv) DECLARATION: INVENTORSHIP (only for the purposes of the designation of the United States of America)
 The declaration must conform to the following standardized wording provided for in Section 214: see Notes to Boxes Nos. VIII(i) to (v) (in general) and the specific Notes to Box No. VIII(iv). If this Box is not used, this sheet should not be included in the request.

**Declaration of inventorship (Rules 4.17(iv) and 51bis.1(a)(iv))
 for the purposes of the designation of the United States of America:**

I hereby declare that I believe I am the original, first and sole (if only one inventor is listed below) or joint (if more than one inventor is listed below) inventor of the subject matter which is claimed and for which a patent is sought.

This declaration is directed to the international application of which it forms a part (if filing declaration with application).

This declaration is directed to international application No. PCT: (if furnishing declaration pursuant to Rule 26ter).

I hereby declare that my residence, mailing address, and citizenship are as stated next to my name.

I hereby state that I have reviewed and understand the contents of the above-identified international application, including the claims of said application. I have identified in the request of said application, in compliance with PCT Rule 4.10, any claim to foreign priority, and I have identified below, under the heading "Prior Applications," by application number, country or Member of the World Trade Organization, day, month and year of filing, any application for a patent or inventor's certificate filed in a country other than the United States of America, including any PCT international application designating at least one country other than the United States of America, having a filing date before that of the application on which foreign priority is claimed.

Prior Applications: JP 2002-206866 filed 16 July 2002

I hereby acknowledge the duty to disclose information that is known by me to be material to patentability as defined by 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the PCT international filing date of the continuation-in-part application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name: Shusaku Shibasaki

Residence: Chiba-ken, Japan

(city and either US state, if applicable, or country)

Mailing Address: 2700-50 Koike Shibayama-cho, Sanbu-gun
 Chiba-ken, Japan

Citizenship: Japanese

Inventor's Signature: *Shusaku Shibasaki*

(if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date: 27 MAY 2003

(of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

Name:

Residence:

(city and either US state, if applicable, or country)

Mailing Address:

Citizenship:

Inventor's Signature:

(if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date:

(of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

This declaration is continued on the following sheet, "Continuation of Box No. VIII (iv)".

Form PCT/RO/101 (declaration sheet (iv)) (March 2001: reprint July 2001)

See Notes to the request form



COPY

Page 1 of 2

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/521,539	Shusaku Shibasaki	OT-5055

Troxell K. Snyder
 Otis Elevator Company
 10 Farm Springs
 Farmington, CT 06032



INTERNATIONAL APPLICATION NO.
PCT/US03/19856

IA. FILING DATE	PRIORITY DATE
06/23/2003	07/16/2002

CONFIRMATION NO. 1524
 371 FORMALITIES LETTER



OC000000016725981*

Date Mailed: 08/09/2005 ✓

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 01/14/2005
- Copy of the International Search Report filed on 01/14/2005
- Oath or Declaration filed on 01/14/2005
- Request for Immediate Examination filed on 01/14/2005
- U.S. Basic National Fees filed on 01/14/2005
- Priority Documents filed on 01/14/2005

OTIS
 Today's Date: 8.16.05
 Action: Missing parts
 Due Date: 10.9.05
 Examiner: LAB

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - does not identify the application to which it is directed.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$-185 for a Small Entity:

- \$65 Surcharge.

(A previous payment of \$250 will be applied to the additional fees indicated above.)

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/521,539	PCT/US03/19856	OT-5055

FORM PCT/DO/EO/805 (371 Formalities Notice)